

A724



Application No. 10/039,947

Applicant: Moore

Title: *Arsenic Removal from Water*

Filing Date: 10/25/2001

Art Unit 1724

Examiner CINTINS, Ivars C.

Docket No.: SD-6858

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

March 23, 2004

Reply to First Office Action

Dear Examiner Cintins:

Applicants present the following Reply to the First Office Action dated 01/08/2004.
Applicants request expeditious processing to issuance.

INTRODUCTORY REMARKS

File History

1. A provisional application was filed on 10/10/2001. The Office mailed a filing receipt on 11/15/2001, assigning Serial Number 60/328,536.
2. An ordinary application was filed on 10/25/2001 with 49 original claims, claiming priority to the provisional application.
3. The Office mailed a filing receipt for the ordinary application on 02/13/2002, assigning a Serial Number 10/039,947.
4. A first IDS was mailed on 10/25/2001
5. A supplemental IDS was mailed on 12/620/01.
6. The Office mailed a Restriction Requirement on 11/06/2003.
7. Applicants faxed an Election of Species on 11/13/2003.
8. A first substantive office action was received 01/08/2004.



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Nevertheless, Applicants wish that both sets of documents be duly entered and considered by the Office. Applicants also desire that a new first office action be prepared and that the time period for response be re-started. I hereby certify that the attached documents are a true copy of the originals.

Applicants request expeditious processing to issuance.

Respectfully submitted,

Robert D. Watson 3/23/04

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Certificate of Mailing under 37 CFR 1.10

I hereby certify that this correspondence was mailed to the Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia, 22313-1450 on 3/23/04 (date).

Robert D. Watson

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DISCUSSION

Lost /Misplaced Documents

In reviewing the case file, I discovered two sets of documents that were mailed to the Office on 12/18/2001, but were never entered into the file wrapper. Apparently, they were either lost or misplaced somewhere in the USPTO, or were lost in the mail somewhere.

The first set of documents (see attached) consists of a Preliminary Amendment and a single replacement Formal Drawing Sheet. The Certificate of Mailing, signed by Mary Loukota, indicates that the first set was mailed on 12/18/2001. The cover letter indicates that the serial number had not yet been assigned (the serial number was assigned 2 months later on 2/13/2002).

In the Preliminary Amendment, some minor changes to the Specification were made; claims **1, 31, 44** and **45** were cancelled, most of the claims were amended, and new claims **50-65** were added. It is not known if the Office assessed additional fees for the new claims. The documents may have been lost after additional fees were charged, or maybe not.

The second set of documents (see attached) that were never entered into the file wrapper consists of a Second Supplemental IDS and associated references. The Certificate of Mailing, signed by Mary Loukota, indicates that the second set of documents was also mailed on 12/18/2001.

It is possible that since both sets of documents were sent in without listing a Serial Number (it hadn't been assigned yet), that this may have contributed to the problem of the documents being lost or misplaced.